

AT ROANOKE, VA
FILED

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

APR 06 2018

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

United States of America)

v.)

Christopher Michael McGowan)

Case No. 7:18 MJ 37

Defendant(s)

SEALED

by Oral Order
on Oral Motion
4/6/2018/sm

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 1, 2018 in the county of Botetourt in the
Western District of Virginia, the defendant(s) violated:

Code Section

Offense Description

18 USC 875(c)

Transmitting threats to injure through Interstate Commerce

This criminal complaint is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.*[Signature]*

Complainant's signature

Lynne A. Witt, Special Agent FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: April 6, 2018*[Signature]*

Judge's signature

City and state: Roanoke, Virginia

Robert S. Ballou, U.S. Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

UNITED STATES OF AMERICA

v.

CHRISTOPHER M. MCGOWAN

Case No. 718 MJ 37

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF CRIMINAL
COMPLAINT AND ARREST WARRANT**

1. I, Lynne A. Witt, having been duly sworn, depose and state as follows:

INTRODUCTION

2. I am an "investigative or law enforcement officer" of the United States within the meaning of Section 2510(7), Title 18 of the United States Code, and am empowered by law to conduct investigations and to make arrests of Title 18 offenses.
3. I am a Special Agent with the Federal Bureau of Investigation (FBI), Richmond Division, assigned to the Roanoke Resident Agency (RRA) located in Roanoke, Virginia. I have been employed as a Special Agent with the FBI since May 2009. Prior to working in the RRA, I was assigned to the Charlottesville Resident Agency (CRA) located in Charlottesville, Virginia. I have received training at the FBI's Quantico training facility. Further, I have experience and training in a variety of investigative and legal matters, including the topics of lawful arrests, the drafting of affidavits, and probable cause. I have participated in numerous federal, criminal investigations, and am currently investigating various federal criminal violations, including those outlined in this affidavit.
4. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from witnesses and other law enforcement officers. This affidavit is intended to show simply that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.
5. Based on the facts as set forth in this affidavit, there is probable cause to believe that a violation of Title 18, United States Code, Section 875(c) (Threatening Interstate Communications) has been committed by Christopher Michael McGowan.

STATEMENT OF PROBABLE CAUSE

6. Twitter is an online news and social networking service on which users post and interact with messages known as "tweets." Registered users can post tweets, but those who are unregistered can only read them. Registered users create "handles" or names for their accounts, which start with "@" and are followed by a username. Users can group posts together by topic or type by use of hashtags, e.g., using words or phrases prefixed with a "#" sign. Similarly, users can group, respond to, or address tweets to other Twitter users by referencing the other user's Twitter handle in their tweet.
7. Congressman Bob Goodlatte is the United States Representative for Virginia's Sixth Congressional District and has offices located in Roanoke, Virginia. "@BobGoodlatte6" is a campaign Twitter account utilized for Congressman Goodlatte and monitored by his staff. Staff personnel are able to see when Goodlatte's name is mentioned on Twitter or @BobGoodlatte6 is used in a message or "tagged" in a tweet. #VA06 is a hashtag that is associated with the Sixth Congressional District of Virginia.
8. Beginning in September 2017, a member of Goodlatte's staff observed a large number of tweets by Twitter account [REDACTED] that mentioned or tagged Congressman Goodlatte. The majority of tweets appeared angry in nature and in opposition to Congressman Goodlatte. These tweets were similar in nature to other tweets Congressman Goodlatte's office had received over the previous nine months from Twitter account [REDACTED]. Both Twitter accounts had a distinguishing shamrock with a green background with the letters "MC" below the shamrock. For these reasons, the staff member began to monitor and save some of the tweets from [REDACTED] that referenced or mentioned Congressman Goodlatte.
9. On or about December 17 and 18, 2017, Twitter account [REDACTED] posted numerous tweets mentioning and/or directed to Congressman Goodlatte. Some of the posted tweets included:

#VA06 @BOBGOODLATTE6 I am still waiting for the police to arrive, bob. It is 7:16 in the morning. I threatened to kill you if you help trump violate the constitution here I am.....

#VA06 Dear, any law enforcement agency. I am a veteran Army officer and am fully qualified and capable to kill. Should Trump fire Mueller illegally and @BobGoodlatte6 fail to impeach him I will consider Bob an enemy combatant and arrest him. If he resist I will kill him.

#VA06 I will do this in full belief I am defending the constitution of the United States. I am not making a joke. I will kill him. Should you believe my doing so would be illegal please arrest me so we can have this discussion in court BEFORE I actually do it. Thank you.

To be clear: If Trump tries to fire Mueller I WILL make an attempt to execute a

citizens arrest against @BobGoodlatte6 and I will kill him if he resist.

AH! Just got info from a friend. Mueller will not be fired. 100% I put all my integrity on this statement: Mueller will not be fired. It explains why I am not in chains. Also: I was not bluffing. Just for the record. i was deadly serious @BobGoodlatte6.

Well, inside chaos I can kill a @BobGoodlatte6 without repercussion because there is no longer a rule of law. So either he can acknowledge the rule of law...or I can kill him without worry OF the law. I have no moral qualms on killing him. What's it gonna be @BobGoodlatte6 ?

10. On December 18, 2017, a staffer from Congressman Goodlatte's office contacted the United States Capitol Police to report the escalating threat language in the tweets posted by [REDACTED]. In addition, the staffer provided the United States Capitol Police the name of Christopher McGowan, along with his contact information.
11. On or about December 18, 2017, officers with Botetourt County Sheriff's Office located Christopher McGowan at his residence and interviewed him. During the interview, McGowan admitted to sending the tweets. Even though some tweets were sent as early as 7:16 a.m., McGowan stated that he had become intoxicated and sent the tweets hoping to get someone's attention over his concerns about the current status of our country. McGowan also stated he did not own any firearms. McGowan stated that he had no intention of hurting anyone.
12. On December 18, 2017, [REDACTED] started tweeting again. In two tweets, at approximately 1:12 p.m., [REDACTED] posted:

#VA06 @GOP @DNC #AMERICAFIRST #GOP #DNC @GOPLEADER @TEDCRUZ @BOBGOODLATTE6 @SENATEMAJLDR So I say again: If P Trump Fires Mueller and is not impeached I view that the government has declared war on us U.S. Citizens.

#VA06 @GOP @DNC #AMERICAFIRST #GOP #DNC @GOPLEADER @TEDCRUZ @BOBGOODLATTE6 @SENATEMAJLDR I will respond accordingly. I am stating this upfront so the line is clear. Don't like it? Arrest me and lets go to court....or stfu andlet Mueller do his job. Period. The end.
13. Since December 2017, [REDACTED] has continued to post tweets at Congressman Goodlatte, including tweets that calling the Congressman corrupt. In a string of tweets on February 4, 2018, [REDACTED] expresses disappointment that he has not threatened a politician:

*Off to bed. Didn't threaten to kill a politician tonight. So.....Twitter win? Sure.....MAC FTW *FIRECRACKERS* *sigh* :P*

14. Later that same day, [REDACTED] appears to advocate for the violent overthrow of the government:

#GOP #DNC @BobGoodlatte6 #VA #VA06 My point? You had best stop playing games. The only reason many of us are sitting on the bench is due to rule of law and our respect for it. invalidate that law...and we will eat you alive.

*#DNC #VA #VA06 Last thing: *I* would never do it...but you do know a Tyrannical government = moral Free reign for rebellion...and rebellions tend to involve poor people seizing rich peoples wealth for themselves Me? I call @BobGoodlatte6 's couch and smoking chair.*

15. On April 1, 2018, [REDACTED] tweets escalated. On or about that date, [REDACTED] posted the following messages:

7:26 AM

I'm serious @BobGoodlatte6 ..you keep fucking with our constitution and challenging Mueller and the last you see will be my patriot ass behind a gun you should have long ago have prevented me owning pulling a trigger to your head. Want me arrested>? GO head.

7:33 AM

*@BobGoodlatte6 @HouseJudiciary Quite simply: After making these kind of comments, should *I* be allowed to own a gun? If I hear you say *yes* on any public forum I will go buy one and proceed to shoot you. Is this hyperbole? You tell me. Are you willing to risk it?*

7:41 AM

#1: threatened my congressman with violence #2: stated I would kill people. #3: pretty much declared I would commit a plethora of anti-social behavior, publicly. Whom would like to bet I can purchase a gun three days from now and NOT be locked up in jail? #proudtobeanAmerican

7:45 AM

@BobGoodlatte6 @HouseJudiciary Corruption happens on so many levels and in so many ways..but YOU have truly taken it to an extreme. History will hate you even more than I do. You better get on those gun laws. I am buying one intended for you in 3 days. Can you legally stop me?

16. Approximately seven minutes later, at approximately 7:52 AM, Roanoke City Police received an email from [REDACTED]:

Look...i just sent some pretty aggressive tweets stating some things that I should not have.

I've been drinking, I should not have stated them, and I am sorry.

I am just frustrated with how cynical our Government has become.

I went to war for this country...and hate how these assholes treat us like cannon fodder.

I mean....Bob Goodlatte is the pinaacle of a spoile dlittle brat....and yet he is making decicions at a national level.

It offends me.

That said:

I do not actualy intend to cause him harm. I get drunk,...and express myself too much emotionally.

I was simply trying to make a point....and once I drink I have a tendency to take it too far.

I Will NOT be buying gun and I will NOT be even leaving my house.

Very respectfully,

Chris

17. [REDACTED] did not make the content of the email public on his Twitter account nor did he recant his tweets from April 1. Instead, three days later, on April 4, 2018, [REDACTED] tweeted:

@BobGoodlatte6 The center cannot hold when you are so corrupt a guy like me can talk about killing you, bob, with impunity... a sitting congressman...and get away with it. Why does this happen? With people like you ...the center cannot hold. Nobody respects you.

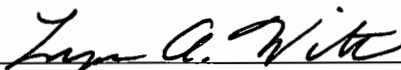
The motive for our plague of Mass shootings is people like YOU @BobGoodlatte6. The frustration people feel for being blatantly and cynically taken advantage of is coming to a head. #VA06 #VA @HouseJudiciary

18. On April 5, 2018, both Twitter and Google provided sufficient identifying information to confirm that the Twitter account [REDACTED] and email address [REDACTED] belong to McGowan, as confirmed through public source documents.
19. A review of the Virginia State Police firearms purchase database does not indicate that McGowan has purchased any firearms in Virginia in the last 365 days.

CONCLUSION

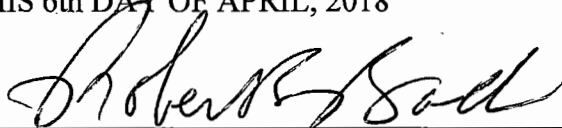
20. Based on the aforementioned factual information and my training and experience in criminal investigations, I submit that probable cause exists to conclude that on April 1, 2018, Christopher Michael McGowan did transmit in interstate commerce a communication containing a threat to injure another person in violation of 18 U.S.C. § 875(c).

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed on April 6, 2018, at Roanoke, Virginia.



Lynne A. Witt
Special Agent
Federal Bureau of Investigation

SWORN AND SUBSCRIBED TO BEFORE ME
THIS 6th DAY OF APRIL, 2018



U.S. MAGISTRATE ROBERT S. BALLOU
UNITED STATES DISTRICT COURT IN THE
WESTERN DISTRICT OF VIRGINIA